

Mining and Minerals Division,

19 people have signed a petition on Action Network telling you to Ensure socially and environmentally responsible mining at the Little Rock Mine.

Here is the petition they signed:

Thank you for the opportunity to comment on Freeport-McMoRan's application to expand the Little Rock Mine.

I urge you to put permit conditions in place that will ensure that mining is conducted in a socially and environmentally-responsible manner in order to protect the environment, wildlife, public health and quality of life of nearby residents.

Specifically, I would like to see the following requirements in the Mining Act permit:

- Full assessment of the environmental impacts of the Little Rock Mine expansion on local communities, wildlife and wildlife habitat and provide a mitigation plan to address the impacts.
- Evaluation of the impacts to local residents' groundwater supplies from pit dewatering and provide a plan for mitigating those impacts.
- Implementation of Best Management Practices for water stewardship, noise and vibration, lighting and visual impacts, and dust mitigation and monitoring.

Thank you for consideration of my comments.

You can view each petition signer and the comments they left you below.

Thank you,

Gila Resources Information Project

1. Edward Spencer (*ZIP code: 88061*)

Water, water, and no more water. MMD needs to create a base line of current water levels in those areas affected by the mine expansion. Without the base line any water difficulties will be impossible to verify, thus Freeport will be able to wiggle off of any financial responsibility. Please ensure accountability and transparency. Thank You.

2. Dana Carlsen (*ZIP code: 88061*)

I understand mining is essential to our communities economic balance, but please, please take into consideration all the reasons we live here. Wildlife, Public Land, Peaceful surroundings. Night skies. Quiet. Please think of everyone and do what's right for all.

3. Don Tarulli (*ZIP code: 88061*)

I live closest to this mine on the East side. Before the last expansion they promised to remedy any

drop in the water table. When that happened they denied any responsibility, even though their own documents said that was likely. I want money, not more lies.

4. Joanne DeMichele (ZIP code: 88053)

5. Danielle Lencer (ZIP code: 88061)

6. Damie Nelson (ZIP code: 88053)

I have serious concerns about mine expansion. Mining companies are notorious for not cleaning up their mess. And I have friends who live off of Butterfield Trail who will be impacted.

7. Greg Smith (ZIP code: 88061)

Please leave some drinkable water for those of us who live nearby and have well water.

8. Deborah Guerra (ZIP code: 88061)

I'm concerned about dust, air contamination, water contamination and acid; also storm water flow etc.

9. JV Connors (ZIP code: 88061)

We are tired of the dominance of mining in our region! They no longer provide that many jobs, the money goes overseas, they pollute our water and add to a terrible dust problem that might be toxic!

10. Johannes Lencer (ZIP code: 88061)

11. An anonymous signer (ZIP code: 88061)

12. dennis okeefe (ZIP code: 88065)

The mining and minerals division should ensure that the Little Rock mine expansion doesn't adversely impact the surrounding residents, as well as the wildlife and environment.

13. Patricia Wolph (ZIP code: 88061)

Taxpayers should not have to pay for anything related to mining. Mining is a business for profit and those profits should be used to do responsible mining. If that mining is done on public lands the Taxpayers should share in a portion of those profits.

14. Jene Moseley (ZIP code: 88061)

VERY concerned about environmental impacts this expansion will have on nearby residents. What about property values related to noise, dust, water wells, wildlife habitat and overall quality of life.

15. Mary Ritson (ZIP code: 86512)

We are driving to be among other things environmentally conscious.
Mining is necessary BUT HAS TO BE for the good of the people and environment
NOT PROFIT

16. Ronald Parry (ZIP code: 88061)

I am a resident of the Oak Grove community in the Big Burro mountains that is located close to the Tyrone Mine and the Little Rock Mine. I am concerned about the impacts of expansion of the Little Rock mine on my community. My concerns include: 1) effects on the water table and potential contamination of the ground water that supplies our wells, 2) pollution of the air with dust that may contain toxic metals, silica, or other hazardous materials, 3) noise from blasting and other mining operations, 4) light pollution in an area that has dark skies. I am also concerned about the impacts of the Little Rock mine expansion on wildlife. Light pollution has been documented to interfere with predator-prey interactions, and to disrupt navigation in birds and insects. The residents of Oak Grove live where they do because they value wildlife and peaceful living conditions. We hope that the Little Rock Mine expansion will not damage those conditions.

17. Sam Fry (*ZIP code: 88065*)

Please put in place permit conditions that will require a full assessment of Little Rock's impacts to surrounding community members and provide meaningful remedy of those impacts in order to protect public health, residential water supplies, the environment and wildlife.

18. Sandy Lang (*ZIP code: 88061*)

Water is in such short supply, and mining puts a tremendous strain on water tables in areas near where they are located. We do not want a commercial mine expansion to move forward without in-depth assessment of the impacts on our valuable water. Water tables are already dropping and before we put any more strain on the system we need to be sure expansion is viable for all parties involved.

19. Shelby Jasmer (*ZIP code: 85257*)

I have a home in the Burro Mountains. I am very concerned that the ground water table will be negatively impacted. We are all on wells and have done fine but I do not believe the water table could sustain a mine expansion.

From: [MMD, EMNRD, EMNRD](#)
To: [Oho, David, EMNRD](#)
Subject: Fw: [EXT] Big Rock Mine
Date: Thursday, July 1, 2021 4:46:49 PM

From: Candace Breen Lee <cbreenlee@yahoo.com>
Sent: Monday, June 14, 2021 12:12 PM
To: MMD, EMNRD, EMNRD <EMNRD.MMD2@state.nm.us>
Subject: [EXT] Big Rock Mine

Please take into account the amount of water this mine will use and the disruption to the ecosystem and human neighbors this expansion will cause.
We are asking you to deny they permit for this mine.

Sincerely,
Candace Breen-Lee & Robert Lee
Silver City, NM

From: [MMD, EMNRD, EMNRD](#)
To: [Ohori, David, EMNRD](#)
Subject: Fw: [EXT] Little Rock Mine Expansion and Close out Plan
Date: Thursday, July 1, 2021 4:46:34 PM

From: Glenn Griffin <gilatreethinners@gmail.com>
Sent: Monday, June 14, 2021 10:55 PM
To: MMD, EMNRD, EMNRD <EMNRD.MMD2@state.nm.us>
Subject: [EXT] Little Rock Mine Expansion and Close out Plan

Please accept my public comments into the public record. They are attached. Please send confirmation of receipt to gilatreethinners@gmail.com.

Thank you, Glenn Griffin

From: [MMD, EMNRD, EMNRD](#)
To: [Oho, David, EMNRD](#)
Subject: Fw: [EXT] Little Rock public hearing
Date: Thursday, July 1, 2021 4:46:03 PM

From: Arthur S Ratcliffe <ratrase@icloud.com>
Sent: Wednesday, June 16, 2021 6:13 PM
To: MMD, EMNRD, EMNRD <EMNRD.MMD2@state.nm.us>
Subject: Re: [EXT] Little Rock public hearing

Thank you for responding.

UART

On Jun 16, 2021, at 9:46 AM, MMD, EMNRD, EMNRD
<EMNRD.MMD2@state.nm.us> wrote:

Hi Mr. Ratcliffe,
A transcript will be posted on the MMD website soon.
Thanks.
David Oho

From: Arthur S Ratcliffe <ratrase@icloud.com>
Sent: Thursday, June 3, 2021 8:36 PM
To: MMD, EMNRD, EMNRD <EMNRD.MMD2@state.nm.us>
Subject: [EXT] Little Rock public hearing

I was unable to attend the webinar. Is there a transcript available? Thank you.

From: [MMD, EMNRD, EMNRD](#)
To: [Ohori, David, EMNRD](#)
Subject: Fw: [EXT] Mining and Minerals Division, Ensure socially and environmentally responsible mining at the Little Rock Mine
Date: Thursday, July 1, 2021 4:45:34 PM
Attachments: [ensure-socially-and-environmentally-responsible-mining-at-the-little-rock-mine_signatures_202106171053.pdf](#)

From: MMD, EMNRD, EMNRD <EMNRD.MMD2@state.nm.us>
Sent: Tuesday, June 22, 2021 8:27 AM
To: Ohori, David, EMNRD <david.ohori@state.nm.us>
Subject: Fw: [EXT] Mining and Minerals Division, Ensure socially and environmentally responsible mining at the Little Rock Mine

From: Allyson Siwik via ActionNetwork.org <info@sg.actionnetwork.org>
Sent: Thursday, June 17, 2021 4:53 PM
To: MMD, EMNRD, EMNRD <EMNRD.MMD2@state.nm.us>
Subject: [EXT] Mining and Minerals Division, Ensure socially and environmentally responsible mining at the Little Rock Mine

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Thank you,

Gila Resources Information Project

Action Network



Sent via Action Network, a free online toolset anyone can use to organize. [Click here to sign up](#) and get started building an email list and creating online actions today.

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You can unsubscribe or update your email address or change your name and address by [changing your subscription preferences here](#).

From: [MMD, EMNRD, EMNRD](#)
To: [Ohuri, David, EMNRD](#)
Subject: Fw: Little Rock Public Comment - GR007RE
Date: Thursday, July 1, 2021 4:47:03 PM
Attachments: [image001.png](#)

From: Ohori, David, EMNRD <david.ohori@state.nm.us>
Sent: Wednesday, June 9, 2021 6:28 PM
To: MMD, EMNRD, EMNRD <EMNRD.MMD2@state.nm.us>
Subject: FW: Little Rock Public Comment - GR007RE

From: Schoeppner, Gerard, EMNRD <Gerard.Schoeppner@state.nm.us>
Sent: Tuesday, June 8, 2021 9:26 PM
To: Ohori, David, EMNRD <david.ohori@state.nm.us>
Cc: Shepherd, Holland, EMNRD <holland.shepherd@state.nm.us>; David, Dana Z, EMNRD <DanaZ.David@state.nm.us>
Subject: FW: Little Rock Public Comment - GR007RE

FYI

Jerry

From: Zollinger, Richard <rzolling@fmi.com>
Sent: Tuesday, June 8, 2021 2:46 PM
To: Schoeppner, Gerard, EMNRD <Gerard.Schoeppner@state.nm.us>
Subject: [EXT] Little Rock Public Comment - GR007RE

Jerry Schoeppner,

Thank you for holding the public hearing on the Tyrone Little Rock mine permit revision. I listened to the entire meeting and the presentations. I was glad to note that the meeting was respectful and that the hearing chair recognized all that spoke and respected them. I am in support of the Tyrone mine and I was glad to hear from the mine team that the concerns for water, dust and noise pollution have been discussed with neighbors. I also know that there are various monitoring wells which are tested routinely for solids. I also listened to GRIP present their concerns and did not that one of the industry standards is the Copper Mark. I know Freeport-McMoRan is part of the Copper Mark, which supports responsible mining. The mines in Grant county are the main economic engine and I was glad to hear that was acknowledged by group. As part of the Tyrone mine management team, I recognize that there are over 300 employees and their families that are supported by the mine and the future expansion of Little Rock will support those families, additional contract jobs and the downstream economic impacts to local businesses, schools and agencies.

Respectfully submitted,

Richard Zollinger, CPA
Accounting Manager, New Mexico Operations
Freeport-McMoRan
Office: 575.912.5724
Cell: 575.519.8426





*Promoting Healthy Communities by
Protecting Our Environment Since 1998*

June 17, 2021

David Otori, Permit Lead
Mining and Minerals Division
Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, NM 87505

RE: Follow-up Comments on Freeport-McMoRan Little Rock Mine GR007RE – Permit Revision 20-1

Dear Mr. Otori:

We appreciate the opportunity to present our input at the June 3, 2021 public hearing on Freeport-McMoRan's (FMI) expansion proposal for the Little Rock Mine and associated Closure/Closeout Plan (CCP).

In addition to our formal testimony at the public hearing, please accept these follow-up comments based upon the information presented by FMI at the public hearing.

While GRIP recognizes and appreciates the information FMI has provided in response to our February 18, 2021 comments to the Mining and Minerals Division (MMD), the information provided has not altered our recommendations related to the Little Rock expansion proposal and CCP.

We strongly encourage MMD to put in place permit conditions that will require a full assessment of Little Rock's impacts to surrounding community members and provide meaningful remedy of those impacts in order to protect public health, residential water supplies, the environment and wildlife.

Gila Resources Information Project
305A North Cooper St. Silver City, NM 88061
grip@gilaresources.info | www.gilaresources.info
p/f: 575.538.8078

We remain concerned that community impacts resulting from mine operations for the Little Rock 6 five-year expansion plan have not been analyzed in the current 2021-2025 Closure-Closeout Plan even though FMI is requesting a permit boundary and design limit that would cover the Little Rock 9 ten-year expansion plan. This is an obvious inconsistency between the application and CCP that should not be acceptable.

During the public hearing, FMI's Tom Shelley suggested that the federal NEPA processes performed for the Little Rock Mine had already analyzed the impacts of their proposed expansion plans. Please find attached Figure 3 from the 2015 Environmental Assessment prepared for the most recent federal NEPA process for the Little Rock Mine. The open pit configuration, waste rock piles, and proposed limit of disturbance expanding the open pit are inconsistent with those submitted to MMD in the current proposed revision. As a result, we would anticipate that the Bureau of Land Management (BLM) and the U.S. Forest Service will require an additional environmental assessment for the permit revisions associated with the proposed expansion.

As contained in our presentation/testimony at the MMD June 3, 2021 public hearing, the financial assurance estimate provided by FMI just prior to the hearing should be considered preliminary as it is not based on a final and approved CCP from MMD and the New Mexico Environment Department (NMED), and/or any conditions the agencies might yet impose. For example, presently the estimate assumes monitoring and maintenance for 12 years related to revegetation/post-mining land use and 30 years for ground water quality. However, given it will take approximately 100 years for the pit water to reach chemical equilibrium, and there is a significant risk of water quality exceedances for copper and selenium given the uncertainty in existing predictions, we would anticipate NMED to require pit lake monitoring until the pit lake achieves equilibrium and actual water quality can be determined to be acceptable, or alternatively require abatement to meet applicable standards. We therefore recommend that sufficient financial assurance be required to cover future water quality monitoring and abatement that may be required 100 years post-closure.

Additionally, given some of the land involved with the Little Rock Mine expansion is in federal ownership, federal agency concurrence on the CCP and financial assurance cost estimate will be necessary. Their concurrence on the financial assurance instruments will also be necessary, and we would note that neither federal agency accepts third-party guarantees as a legitimate financial assurance.

The state of New Mexico should be aware that in a precedent-setting situation where Nevada regulators proposed to BLM that the State of Nevada would allow up to 75% corporate guarantees, the equivalent of New Mexico's third-party guarantee, BLM informed Nevada that if a company went bankrupt and Nevada was holding a corporate guarantee, BLM would hold the state liable for the gap in the available financial assurance (see attached letter). Ultimately, the BLM formally adopted a policy in 2005 that "... the BLM in Nevada no longer accepts new corporate guarantees that have been approved by the State of Nevada. The corporate guarantees that were in effect on January 20, 2001, will remain in effect, however they cannot be increased. Also, the existing approved corporate guarantees cannot be transferred to another operator or operation" (see 2005 Nevada BLM Guidance). In order to protect the taxpayers and front-line communities that will bear the adverse impacts from Little Rock Mine

expansion, GRIP strongly recommends that the state of New Mexico not accept a third-party guarantee as a financial instrument for Little Rock financial assurance.

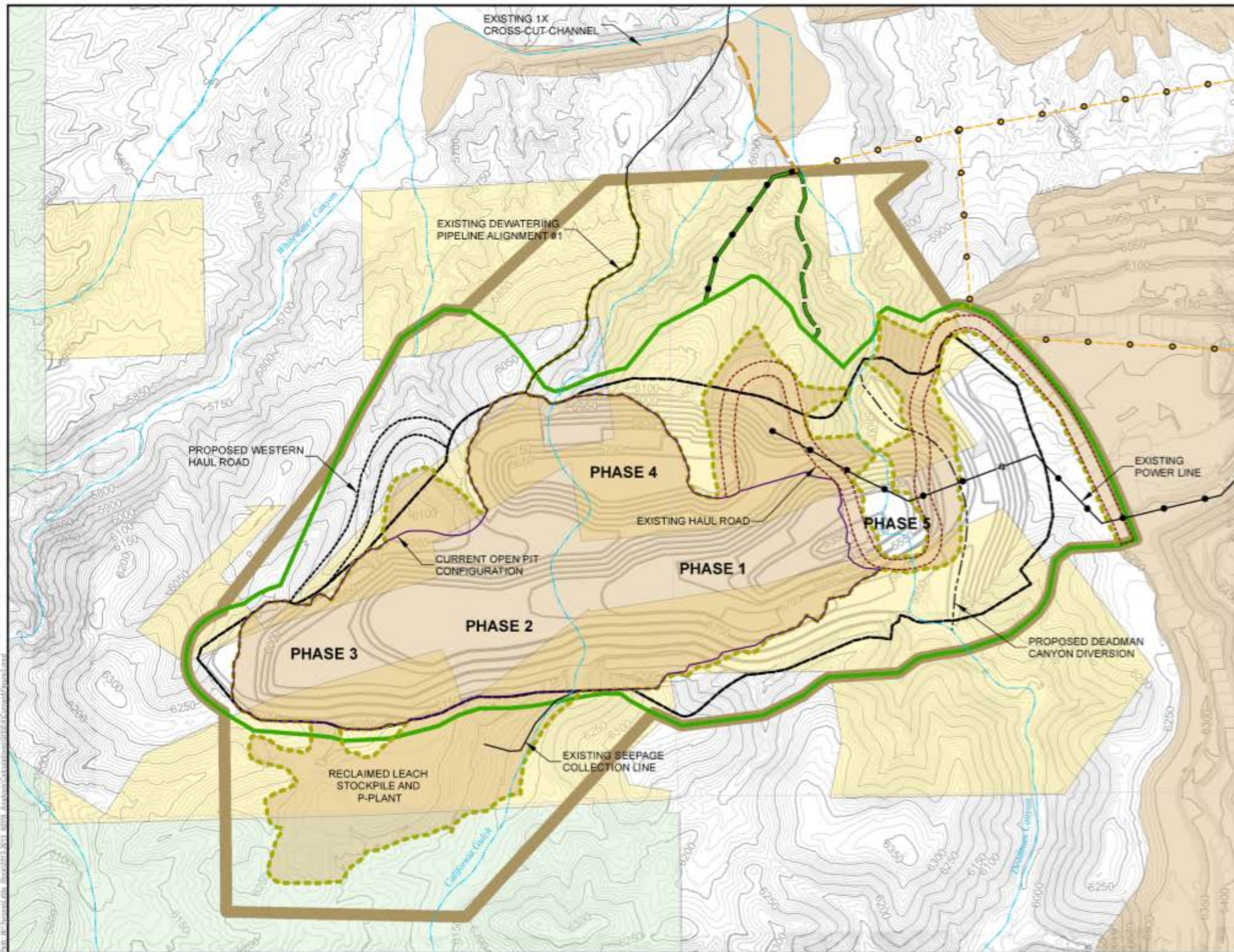
Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, reading "Allyson Siwik". The signature is written in a cursive, flowing style.

Allyson Siwik
Executive Director

Cc: Jim Kuipers, Kuipers and Associates
Kurt Vollbrecht, NMED/MECS
Joseph Navarro, BLM Las Cruces District Office
Beth Ihle, Gila National Forest



Legend

- Proposed Action Area
- BLM Managed Land
- Earlier, Existing, and Approved Disturbance
- USFS Managed Land

No Action Alternative

- Earlier, Existing and Approved Disturbance at the Little Rock Mine
- Current Open Pit Configuration
- Existing Haul Road

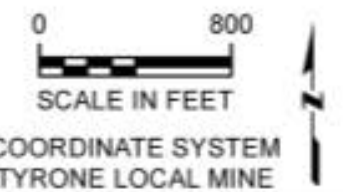
Features of the Proposed Action and Connected Non-Federal Action

- Proposed Limit of Disturbance Expanding the Open Pit
- Proposed Conceptual Open Pit Configuration
- Proposed Dewatering Pipeline Alignment #2
- Proposed Power Line Alignment

Private Actions (Planned)

- Dewatering Pipeline Alignment #2
- Potential Power Line Route

Surface topography dated Jan 2012. Contours within the Proposed Action Area reflect the conceptual topography at the end of mining.



**FIGURE 3
PROPOSED ACTION AND
CONNECTED NON-FEDERAL ACTION
LITTLE ROCK MINE**

PREPARED BY

TELESTO
SOLUTIONS INCORPORATED
Fort Collins, Colorado (970) 484-7704
www.telesto-inc.com

PREPARED FOR

Freeport-McMoRan

PETER C. MORRIS, 1993

ALLEN BIAGGI, Administrator

775-687-4670

FDD 687-4678

Administration
Water Pollution Control

Facsimile 687-5856

Mining Regulation and Reclamation

Facsimile 684-5259

Waste Management
Corrective Actions
Federal FacilitiesAir Quality
Water Quality Planning

Facsimile 687-6396

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706-0851

August 30, 2000

Mr. Robert V. Abbey
Bureau of Land Management
1340 Financial Boulevard
PO Box 12000
Reno, Nevada 89520-0006

Re: Corporate Guarantees for Mining Operations and Exploration Projects

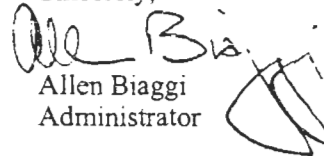
Dear ^{BOB} Bob:

As you well know, the current period of low metals prices has caused financial difficulty for much of the mining industry, and has resulted in a number of bankruptcies. At such a time, reclamation surety is a critical issue. I would like to clarify the State's obligation regarding corporate guarantees as reclamation surety.

Corporate guarantees are allowed by state law (NRS 519A.130) and regulation (NAC 519A.350). The State may accept a corporate guarantee for a mining operation or exploration project when the legal requirements are met. If an operator suffers financial distress and cannot or will not fulfill the obligations of the corporate guarantee, the State cannot assume those obligations. We will, however, work cooperatively with the Bureau of Land Management and all other appropriate agencies to use available resources to ensure the completion of as much reclamation at the site as possible.

The effectiveness of the mining regulatory programs in Nevada is in large part due to the close working relationship we enjoy with our fellow agencies, especially the BLM. We hope to continue and even improve our good working relationship with your agency, and look forward to coming out of these difficult financial times with environmental programs that are even stronger and more effective than before.

Sincerely,


Allen Biaggi
Administrator

cc: Tom Leshendok, BLM NSO
Gabrielle Carr
Jolaine Johnson
David Gaskin

IAWPPFILES\BMRR\DAVID\CG.BLM

From: Dave Gaskin
Subject: fwd: BLM

To: Allen Biaggi, Jolaine Johnson

====NOTE=====8/16/2000==8:25=AM=====

We had a rather heated discussion with BLM last night. We are trying to formalize some bond negotiations, part of which is deciding what doesn't get done at a site w' is under bonded, and subsequently who is responsible for the outstanding r. mation/closure work. Gabrielle and I implied that as land owner, BLM has particular privileges and obligations, including the assumption of closure and reclamation liability at abandoned/bankrupt sites. Mr. Leshendok was very unhappy with this, contending that BLM is merely a fellow regulator, that BLM and the State are cooperative partners, etc. etc.

He then turned to corporate guarantees, asking if the State would stand behind the guarantee when the operator fails, as with Arimetco. We said no, the State does not underwrite, co-sign or otherwise guarantee bonding under a corporate guarantee. Tom said this goes against BLM's understanding of the process for the past ten years, and seriously jeopardizes our joint bonding arrangement under 3809. We reiterated that the corporate guarantee is a valid surety mechanism allowed under state law and regulation, but that does not mean the State assumes the liability when an operator fails. Tom said he remembers Lew or Allen saying otherwise. Connie said she has stated our position over and over through the years, but BLM does not want to accept our answer. I believe BLM is extremely uncomfortable with the fact that they accepted CGs over the years, and now they are backpedaling. They could have said no to CGs long ago, but it would have been politically difficult, and would have resulted in a great deal more work for them.

Mr. Leshendok will be coming to see me sometime today to continue the discussions.

Fwd=by:=-Allen=Biaggi==8/16/2000==9:57=AM=====

Fwd to: Dave Gaskin

.....
In no way, shape or form has DEP stated or implied that the state was a backup in the event a CG facility went belly up. He is way out there on that one!

**Testimony of Allen Biaggi and David Gaskin, Nevada Division of Environmental
Protection
on AB 321 (Financial Assurance for Mine Reclamation)**

Before Assembly Committee on Natural Resources, Agriculture and Mining

April 2, 2003

Good afternoon, Mr. Chairman and Committee members. My name is Allen Biaggi and I am the Administrator of the Nevada Division of Environmental Protection. With me today is Dave Gaskin, Chief of the Division's Bureau of Mining Regulation and Reclamation.

AB 321 makes important and sweeping changes to Nevada's mining laws. The bill ultimately removes corporate guarantees and other forms of security from the list of available financial assurance mechanisms.

Since its formation in 1990, the state reclamation program has worked well to ensure the physical stability of reclaimed exploration projects and mine sites in order to provide for public safety and a productive post-mining land use. To do this, the legislature wisely established a requirement where mines are required to have a financial mechanism in place to ensure reclamation is accomplished when mining is completed. The statutes currently allow a number of financial instruments available to the industry to meet this requirement including corporate guarantees.

In the late 1990's, as a result of depressed precious metals prices, a number of challenges were presented to the program in terms of the scope of reclamation, the way the bonding obligation is calculated and the frequency and methods corporate guarantees are evaluated. On top of this, the September 11th terrorist attacks changed the perspective of the surety and bonding industry on providing financial instruments not only for the mining industry but also for others such as the health care and construction. The Division recognized and responded to these challenges by establishing a Mining Bonding Task Force to identify the problems and potential solutions

associated with financial mechanisms. We also established a Corporate Guarantee Review Panel to review not only individual company guarantees but also the system in general. Finally, from the lessons learned from the mining bankruptcies that occurred in the late 1990's we put into place a number of institutional and regulatory changes that we believe made the program stronger and reduced the potential liability to the public.

The public policy decisions before you today through this bill are significant and far-reaching. It involves a delicate act of balance between the levels of risk, liability, public health and environmental quality versus the economic viability of this important industry; one critically important to Nevada's our rural communities.

I would like to turn the remainder of the Division's testimony over to Dave Gaskin who will provide the Committee with details of our position regarding this legislation.

Good afternoon Mr. Chairman, Committee members I am Dave Gaskin, Chief of the Division's Mining Regulation and Reclamation program.

The major change to current mining reclamation requirements occurs on Page 1 section 1 of the bill. This section currently allows a number of different mechanisms for financial assurance, including trust funds, surety bonds, letters of credit, insurance and corporate guarantees. Each form of surety carries a certain amount of risk, from the possible financial failure of the mine operator as well as the possible failure of the financial institution. The general requirements were established to minimize risk to the State without imposing overly burdensome requirements on the mining industry. This section is addressing the risk involved with the use of corporate guarantees.

The control and minimization of such risk is accomplished in a number of ways: through regulatory requirements, agency policy and the judgment of the Administrator of the Division. The regulations under NAC 519A contain specific financial criteria an applicant must meet to obtain a corporate guarantee. As a result of decreased metals prices in the late 1990's, these criteria were put to the test. One company with a corporate guarantee, a copper mining company from Arizona called Arimetco Inc., declared bankruptcy in 1997. The company abandoned its operations, including the Yerington Mine, in early 2000. This placed the State and its partner in reclamation bonding, the Bureau of Land Management, in a position of having to deal with closure and reclamation of a mine with only a fraction of the necessary funding. The State managed to prevent immediate environmental impacts through the Division's Emergency Mitigation and Restoration funding. Much of the expense has been reimbursed and is currently being covered by Atlantic Richfield, owner of a previous operator of the Yerington Mine. The State is working with the numerous parties involved to accomplish permanent closure and reclamation.

As a result of the Arimetco situation and the overall economic climate, the Division reevaluated its ability to address mine bankruptcy and abandonment. In cooperation with the mining industry, a major revision was made to the reclamation regulations to give the Division the authority to require bonding for process fluid stabilization. Previously, bonding could only cover the cost of physical reclamation. However, it was recognized that stabilization of fluids could

present the largest cost of reclamation at a mine site. NAC 519A was revised in July of 2000, and the Division now has the authority to ensure that adequate surety is in place to cover stabilization of process solutions.

In September of 2000, another significant measure was taken by the Division, again in cooperation with industry. The reclamation regulations were revised to establish a trust fund for short-term fluid management, known as the Interim Fluid Management or IFM fund. Fees were assessed on mine operators to provide a fund of \$1,000,000. This money is used by the Division to manage fluids at abandoned sites until resources are made available from the surety.

These two measures have greatly enhanced the Division's ability to address bankrupt and abandoned mines. I should mention that we have had no bankruptcies of mine operators since 1999.

Additionally, a number of revisions were made to address the adequacy of the regulatory criteria for corporate guarantees. After thorough review and discussion with environmental groups and industry, the reclamation regulations were revised in October of 2001 in three areas:

- Provide for periodic review of the financial health of mining companies vs. one-time qualification. This helps us account for economic ups and downs.
- Provide the Division the flexibility to adjust the amount of reclamation obligation covered by corporate guarantee. Previously, corporate guarantees were automatically set at 75% of the total reclamation obligation. This allows us to adjust individual corporate guarantees as necessary to address risk.
- Ensure financial information is prepared in accordance with United States Generally Accepted Accounting Principles. This allows fair and balanced evaluation of foreign-based corporations.

Along with the regulatory revision, the Division also developed a Corporate Guarantee Policy. This document describes the corporate guarantee qualification process, defines document requirements for periodic reviews, and established the Corporate Guarantee Review Panel. This panel was established to advise the Administrator in making decisions regarding corporate guarantees. The panel consists of a representative from NDEP, the Division of Minerals, the Risk Management Division, and a CPA from the general public.

Currently, the total amount of financial assurance in the State represented by corporate guarantees stands at approximately \$230 million. That is out of a total of approximately \$550 million in all types of financial assurance for mine reclamation. Due to mergers and consolidations, we are only dealing with three companies with corporate guarantees at this time: Barrick, Newmont and Glamis. Recent revisions to the Bureau of Land Management's regulations now prohibit new corporate guarantees on public land, so it is unlikely that we will receive many more requests for corporate guarantees. Mainly, we will be managing the existing agreements.

The corporate guarantee system is not without risk. The key is to control the risk and to keep it at an acceptable level. This is a balance between two primary factors. On one side is the economic

health of members of the mining industry, the second largest industry in the state. On the other side are the potential impacts, both environmentally and financially, of bankruptcy and abandoned mining operations. This balance is clearly stated in the legislative findings at the very beginning of the reclamation statutes, in NRS 519A.010: (a) The extraction of minerals by mining is a basic and essential activity making an important contribution to the economy of the State of Nevada, and (b) Proper reclamation of mined land, areas of exploration and former areas of mining or exploration is necessary to prevent undesirable land and surface water conditions detrimental to the ecology and to the general health, welfare, safety and property rights of the residents of this state.

The corporate guarantee system was established as a valid means of financial assurance when the reclamation statutes were adopted in 1990. The security of the corporate guarantee system is under constant scrutiny – by NDEP, by environmental groups, by the mining industry, and the public. The changes we have instituted over the past few years are evidence that the system is flexible and can incorporate constructive improvements to maintain the proper balance of risk.

Thank you for your consideration of these comments.

If you have any questions, we will be happy to answer them.

BLM Nevada 3809 Reclamation Bonding Guidelines

Prepared by

U.S. Department of the Interior
Bureau of Land Management
Nevada State Office
Division of Minerals Management (NV-920)

May 2005

Nevada BLM Bonding Guidelines for Notices and Plans of Operations
Authorized Under 43 CFR 3809

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Nevada BLM Bonding Guidelines for Notices and Plans of Operations Authorized Under 43 CFR 3809

A. General

1. **Notices and Plans of Operations.** In accordance with the 43 CFR 3809 regulations, reclamation bonds are required for both plans of operations and notices. Notice level operations include only exploration activities in which five or less acres of disturbance are proposed. However, if a notice was submitted to the Bureau of Land Management (BLM) prior to January 20, 2001, and includes mining and/or processing activities, that notice may continue as proposed, provided the notice has not been modified and it was bonded by January 20, 2003. In order to avoid termination, all notices submitted prior to January 20, 2001 needed to be bonded by January 20, 2003. After January 20, 2003, notices without bonds expired and operations, except reclamation activities, were no longer authorized. Notices may be extended for a two year period and may be further extended on two year intervals.

Plans of operations include all mining and processing activities (regardless of the size of proposed disturbance), plus all other activities exceeding five acres of proposed public land disturbance. A plan of operations is also needed for any bulk sampling in which 1,000 tons or more of presumed ore for testing is proposed for removal.

2. **Reclamation Cost Estimate.** Operators must submit a Reclamation Cost Estimate when submitting their notice or plan of operations with the appropriate BLM Field Office. Reclamation cost estimates for both notices and plans of operations must be sufficient to cover 100% of the cost of reclaiming the proposed disturbance. All reclamation costs are to be calculated as if third party contractors were performing the reclamation after the site has been vacated by the operator. It is recommended that the Reclamation Cost Estimation Summary Sheet be used to show how proposed reclamation costs were calculated - see Attachment 1. The summary sheet also lists the administrative costs that would occur should a third party contract be issued to reclaim a site. The administrative cost calculations must be included when estimating total reclamation costs. **For all bond determinations, the required bond amount will be shown in a whole dollar amount (no cents). For plans of operations, the bond determination is to be rounded up to the next \$100.**

3. **BLM Field Office Review.** The BLM Field Manager reviews the Reclamation Cost Estimate and determines the bond amount needed for each submitted notice or plan. The Field Manager notifies the operator of the needed bond amount. For Nevada, bond instruments along with the appropriate bond form are submitted to the Nevada State Office (Division of Minerals Management, NV-923) in Reno for adjudication and acceptance. The bonds are held and maintained by the BLM Nevada State Office.

4. **Periodic Review.** The BLM must provide a periodic review of reclamation cost estimates and financial guarantees for ongoing operations (see Instruction Memorandum No. WO-2003-082, Change1 (dated March 1, 2004)). The following establishes the maximum time period the BLM may allow to elapse between reviews. **The BLM has the authority to require a more frequent review** of the reclamation cost

Nevada BLM Bonding Guidelines for Notices and Plans of Operations Authorized Under 43 CFR 3809

estimate and financial guarantee at the discretion of the authorized officer.

- **Notice Operations:** Reclamation cost estimates and financial guarantees for Notice operations must be reviewed **at time of extension (every two years)** under 43 CFR 3809.333.
- **Plans of Operations:** Reclamation cost estimates and financial guarantees for Plans of Operations must be reviewed **at least every three years**.
- **Under State Agreement (or MOU):** Where the BLM has an agreement under 43 CFR 3809.200 with the State that requires a review more frequent than every two years for Notices or every three years for Plans of Operations, reviews must be conducted **in conformance with that agreement**. In Nevada, BLM and the U.S. Forest Service have entered (July 15, 2002) into a Memorandum of Understanding (MOU) with the Nevada Division of Environmental Protection (NDEP) for the administration of jointly held bonds and reclamation of lands disturbed by exploration projects and mining operations for locatable minerals under Federal and State rules. The above review time frames are consistent with current State requirements.
- **Plan or Notice Modification:** Where a Notice or Plan of Operations is modified, a review must be conducted **at the time of modification**. The reclamation cost estimate and financial guarantee review must be for the entire operation, not just the modification (See 43 CFR 3809.580 for bond increases and filing a request for bond decrease; also see Instruction Memorandum No. WO-2003-082, Change 1 (March 1, 2004)).
- **Part of the Operations:** Where the financial guarantee is for part or phase of each operation, as provided under 43 CFR 3809.553, BLM must review the amount and terms of the financial guarantee **annually** (For Phased Bonding guidelines, see section E. of this document).

Where the BLM identifies any deficiency in the amount of the required financial guarantee, the Field Office must immediately issue a decision requiring the operator provide the BLM with the revised amount.

5. **Bond Forms.** Form 3809-1 (Attachment 1), is the required form for a bond which is underwritten by a surety company. Form 3809-2 (Attachment 2) is the required form for a bond which is pledged by a guaranteed remittance, a time deposit, a letter of credit, or a U.S. Treasury security. Form 3809-4 (Attachment 6) is required when the bond is supplied by an entity other than the operator.

6. **State Requirements.** With the exception of sand and aggregate operations, all plan level operators must also acquire a permit from the State of Nevada, Division of Environmental Protection (NDEP). The BLM in Nevada has a cooperative agreement

Nevada BLM Bonding Guidelines for Notices and Plans of Operations Authorized Under 43 CFR 3809

with the NDEP concerning financial guarantees for plan level operations. Upon mutual agreement, the BLM in Nevada and the NDEP will allow for joint reclamation cost determinations and the submittal of one bond by an operator to satisfy the reclamation bond requirement of both agencies. Bond updates are required every three years. For phased bonds, annual updates are required.

B. Reclamation Cost Model for Notice Level Operations

As a result of the revised 43 CFR 3809 surface management regulations on January 20, 2001, bonding of notices became a BLM requirement. New workloads were placed on operators, as well as the BLM, in the development and review of reclamation cost estimates for bonding purposes. In many cases, the type of exploration activity proposed by notice level operations would not justify the time and expense involved in completing detailed cost estimates for the proposed operations. The BLM in Nevada has developed an automated reclamation cost model that can be utilized by an operator in estimating reclamation costs. Each Field Office can assist operators in entering the necessary information and obtaining a reclamation cost estimate for their notice level activities.

The model is a simple Excel© spreadsheet and cost estimates include mobilization and demobilization costs, labor and equipment costs for earthwork, revegetation and drill hole plugging (when appropriate), and administrative costs. To calculate an estimated reclamation cost, an operator need only to enter some easily obtained information about the proposed exploration activities. Use of the model is not required nor is it always appropriate to use. The use of the automated reclamation cost model is entirely optional by notice level operators. It is provided as a tool to simplify the reclamation cost calculation requirement. A detailed or engineered cost analysis is always acceptable.

C. Financial Guarantee Instructions

The BLM in Nevada accepts the following instruments as financial guarantees for reclamation bonds:

1. **Surety Bond.** From a surety company authorized to do business with the United States, as certified by the U.S. Treasury Department. A current list of authorized companies is available by calling 202-874-6850 or through the Internet at <http://www.fms.treas.gov/c570/c570.html>. *Attachment 2 (Form 3809-1)* is the required bond form for a surety bond. Begin to find a surety company by contacting your insurance agent or by looking in the telephone book yellow pages under “bonds.”

2. **Personal Bond.** Must be secured by one of the financial instruments listed in “a” through “d” below. *Attachment 3 (Form 3809-2)* is the personal bond form, which is required in addition to the financial instrument.

Nevada BLM Bonding Guidelines for Notices and Plans of Operations Authorized Under 43 CFR 3809

a. Guaranteed Remittance (“Cash bond”) (Cashier’s check, certified check, or official bank draft, cash, US postal money order, wire transfer) – Drawn on a U.S. bank in an amount equal to the required dollar amount of the financial guarantee, to be deposited and maintained in a Federal depository account of the U.S. Treasury by the BLM. Checks bearing a 9-digit American Banking Association (ABA) routing number will timely pass through BLM’s regular depository. However, if the remittance is drawn on a **foreign bank** (i.e., no 9-digit ABA routing number), or if it is a **personal check** (which includes a company check), or otherwise not guaranteed funds, there will be a delay in processing the bond by as much as 30-45 days. This time period is required for the BLM to be notified by its bank that the personal or foreign check has been returned as not payable. The BLM is required to send checks without a 9-digit ABA routing number to Citibank, Wilmington, DE, for processing, which may take 45 days or more. The bond cannot be adjudicated, nor can a refund be authorized, before the check processing occurs.

If the BLM receives another instrument which is in accordance with the requirements for a “cash bond,” a refund of the original payment will be authorized by the BLM after the processing time (30-45 days), as long as, the original payment was not returned as not payable by the U.S. Treasury. The BLM can authorize a refund of a foreign/personal check only after 30-45 days.

b. Irrevocable Letter of Credit – Obtained through a bank or financial institution located in the United States. See *Attachment 4* for further information.

c. Certificates of Deposit (Time Deposits) - Obtained from a bank whose deposits are insured by the Federal Deposit Insurance Corporation (FDIC), or a bank that is a Federal Reserve Branch Bank, and the deposit is not in excess of the maximum insurable amount, which is currently \$100,000. The time deposit must be pledged to the BLM. See *Attachment 4* for further information.

d. Negotiable Securities of the United States (U.S. Treasury bill, note, or bond) – Having a par value at the time of purchase of not less than the dollar amount required for bonding. See *Attachment 5* for further information.

e. Investment-Grade Rated Securities - having a Standard and Poor’s rating of AAA or AA or an equivalent rating from a nationally recognized securities rating service.

f. Insurance - when its form and function is such that the funding or enforceable pledges of funding are used to guarantee performance of regulatory obligations in the event of default on such obligations. Insurance must have an A.M. Best rating of “superior” or an equivalent rating from a nationally recognized insurance rating service.

Nevada BLM Bonding Guidelines for Notices and Plans of Operations Authorized Under 43 CFR 3809

3. State of Nevada Reclamation Performance Bond Pool Coverage - when issued in accordance with Nevada Administrative Code (NAC) 519A.510 and approved by the State of Nevada, Division of Minerals.

The BLM in Nevada will accept a personal or surety bond from a third party, that is, a party other than the operator, with the use of the appropriate bond and rider (*Form 3809-2 and 3809-4*). *Attachment 6* is Form 3809-4, which is to be used for a third-party bond. The BLM in Nevada will also accept a personal bond from the operator which is secured by a time deposit, letter of credit, or U.S. Treasury security from a third party with the use of a Personal Bond Rider, Form 3809-4a, *Attachment 7*. Other changes to a personal bond, such as an increase or decrease of the amount, a change to the bond coverage (individual, statewide, nationwide), the addition of a coprincipal(s) under the bond, etc. may be made also using *Form 3809-4a* (see *Attachment 7*).

The BLM in Nevada no longer accepts new corporate guarantees that have been approved by the State of Nevada. The corporate guarantees that were in effect on January 20, 2001, will remain in effect, however they cannot be increased. Also, the existing approved corporate guarantees cannot be transferred to another operator or operation.

D. Statewide and Nationwide Bonds

The surface management regulations at 43 CFR 3809 provide for statewide and nationwide bonds. These bonds can be used to cover all of an operator's notices and plans of operations in one state (statewide bond) or in all states in which the BLM administers lands that are open to the General Mining Laws (nationwide bond).

When notices and plans of operations are to be covered by a statewide or nationwide bond, an operator must submit the surety bond or personal bond and financial instrument to the BLM for processing and acceptance. In Nevada, the BLM Nevada State Office (NV-923) will receive, adjudicate and maintain statewide bonds as well as nationwide bonds it receives. The BLM State Office to which a nationwide bond is submitted will be the maintenance office of that nationwide bond for the BLM.

E. Phased or Incremental Bonding

Upon request by the operator, the BLM in Nevada may allow phased or incremental bonding for plans of operations. Some plans may be designed so that operations will occur in discrete "blocks" or operational phases. Bond coverage will be established to cover each phase of an operation as it progresses. In all cases, bond coverage will be required prior to disturbance.

Likewise, reclamation may be designed to occur in discrete blocks or phases. An entire site may be reclaimed in phases or an operation may be designed so that reclamation is

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completed in one area, while new disturbance is beginning elsewhere in the same operation. In the latter case, a fixed amount of bond coverage may be "rolled over" from one part of the operation to another with approval by the appropriate BLM field office.

F. Financial Guarantee Reduction and Release

The 43 CFR 3809 regulations require that all plans and notices submitted after January 20, 2001, be covered by a financial guarantee before conducting operations. The financial guarantee must be sufficient to cover 100% of the cost to stabilize and reclaim the site, including the cost of any action needed to prevent unnecessary or undue degradation of the Federal lands should premature cessation or abandonment of the operation occur. The following guidelines provide for the reduction and final release of financial guarantees held for plan of operations and notice level activities:

1. **Up to 60%** of the total financial guarantee for an operational area within a designated project area, or an entire project area, may be released when all dirtwork has been completed and the area has been prepared to receive seed (see 43 CFR 3809.591(b)). Requirements include: drill hole plugging; backfilling; recontouring; grading; completion of acid rock drainage (ARD) control; establishment of surface and subsurface drainage controls; stabilization and neutralization of leach heaps, process ponds, leach-bearing tailings, and similar facilities.

2. **The remaining portion (at least 40%)** of the financial guarantee may be released when all structures and other facilities have been removed and the area has been revegetated to establish a diverse, effective and permanent vegetative cover, all monitoring and maintenance requirements have been met, and when discharged effluent has met, without violations and without the necessity for additional treatment, applicable effluent limitations and water quality standards for at least one full year (see 43 CFR 3809.591(c)).

For operations where a portion of the surface disturbance has been fully reclaimed, meeting both the 60 and 40 percent criteria above, the operator may request and may receive credit for 100 percent reduction of the financial guarantee for that portion of the operation.

For those operations that may require long-term (more than five years) post-closure monitoring and maintenance activities, operators may choose to acquire separate financial instruments to address and cover those identified long-term post-closure obligations. This would allow for release of the original financial guarantee upon completion of all reclamation and closure activities. [See 43 CFR 3809.552(c)].

The determination of successful revegetation of mining disturbances is defined in **NEVADA GUIDELINES FOR SUCCESSFUL REVEGETATION FOR THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, THE BUREAU OF LAND MANAGEMENT AND THE U.S.D.A. FOREST SERVICE (FINALIZED 09/03/98)**. In

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addition, *Attachment A, Documentation of Reclamation Activities for Surety Release, of the Reclamation Permit issued by the Nevada Division of Environmental Protection (NDEP)* details documentation required for final release of the financial guarantee (see *Attachment 8*).

Each notice and plan of operations must include a section addressing site-specific financial guarantee release criteria, which includes requirements in Attachment A of the NDEP reclamation permit (*Attachment 8*), revegetation goals, and the technical method to be used to estimate vegetative cover.

Requests for a reduction or final release of a financial guarantee covering operations on public lands must be made in writing to the appropriate BLM field manager. For plans of operations, the request is coordinated by the BLM and the NDEP with a decision jointly made between the two agencies. Also for plans of operations, final release of a financial guarantee can not be completed until BLM posts the final release proposal in the appropriate BLM field office or publishes a notice of the proposed final release in a local newspaper of general circulation and accepts public comments for 30 calendar days. Such a notification is not required for the final release of a financial guarantee held for notice level operations.

3. Bond Reductions Involving a Corporate Guarantee(s): When an operator requests a reduction in his/her financial guarantee according to 43 CFR 3809.590(a), the reduction in the financial guarantee will be made proportionally from the applied financial guarantee instrument(s) and the proportion of the financial guarantee that was covered by a corporate guarantee on January 20, 2001 (see Instruction Memorandum No. WO-2005-123). For example, if the financial guarantee coverage is to be reduced by \$100,000 and the financial guarantee coverage applied on January 20, 2001 was 65 percent corporate guarantee and 35 percent acceptable financial instrument(s), then the corporate guarantee would be reduced by \$65,000 and the financial instrument(s) would be reduced by \$35,000.

G. Transfer or Change of Operator

Any change of operator must be promptly reported to the appropriate BLM field office. In the event of a change of operator involving an existing notice or approved plan of operations, the BLM will not transfer reclamation responsibility to the new operator until it is assured that the new operator or the subject operation has satisfied the requirements of the 43 CFR 3809 regulations as they relate to bonding. Reclamation responsibility remains with the existing bond until satisfactory replacement bonding is accepted for the operation. To expedite approval of operator transfer or change, *Form 3809-5 (Attachment 9)* may be submitted to the appropriate BLM field office.

ATTACHMENT 1

Reclamation Cost Estimation Summary Sheet
And
Reclamation Cost Checklist

Reclamation Cost Estimation Summary Sheet

This cost estimation summary sheet is provided to assist the operator and BLM in calculating and reviewing the reclamation cost estimate. The summary sheet is designed to accompany the Reclamation Cost Checklist. The summary sheet is not all inclusive nor is it required.

Notice [] Plan of Operations [] BLM Case-File No.: NVN-_____

Project Name: _____

Enter those values in the cost estimate that are appropriate to this project. All reclamation costs are to be calculated as third party contracts. This summary sheet is to be accompanied by a worksheet describing how each itemized cost was calculated.

A. Earthwork/Recontouring

<u>Item</u>	<u>Labor¹</u>	<u>Equipment</u>	<u>Materials</u>	<u>Total</u>
1. Roads	\$ _____	\$ _____	\$ _____	\$ _____
2. Drill Site(s)	\$ _____	\$ _____	\$ _____	\$ _____
3. Drill Hole Abandonment ²	\$ _____	\$ _____	\$ _____	\$ _____
4. Pits/Adits/Trenches	\$ _____	\$ _____	\$ _____	\$ _____
5. Process Ponds	\$ _____	\$ _____	\$ _____	\$ _____
6. Heaps	\$ _____	\$ _____	\$ _____	\$ _____
7. Dumps (Waste & Landfill)	\$ _____	\$ _____	\$ _____	\$ _____
8. Tailings	\$ _____	\$ _____	\$ _____	\$ _____
9. Structure & Building Areas	\$ _____	\$ _____	\$ _____	\$ _____
10. Storage & Equipment Areas	\$ _____	\$ _____	\$ _____	\$ _____
11. Drainage Control	\$ _____	\$ _____	\$ _____	\$ _____
12. Mobilization/Demobilization	\$ _____	\$ _____	\$ _____	\$ _____
13. Miscellaneous ³	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal "A"	\$ _____	\$ _____	\$ _____	\$ _____

B. Revegetation/Stabilization

<u>Item</u>	<u>Labor</u>	<u>Equipment</u>	<u>Materials</u>	<u>Total</u>
1. Roads	\$ _____	\$ _____	\$ _____	\$ _____
2. Drill Site(s)	\$ _____	\$ _____	\$ _____	\$ _____
3. Pits/Adits/Trenches	\$ _____	\$ _____	\$ _____	\$ _____
4. Process Ponds	\$ _____	\$ _____	\$ _____	\$ _____
5. Heaps	\$ _____	\$ _____	\$ _____	\$ _____
6. Dumps (Waste & Landfill)	\$ _____	\$ _____	\$ _____	\$ _____
7. Tailings	\$ _____	\$ _____	\$ _____	\$ _____
8. Structure & Building Areas	\$ _____	\$ _____	\$ _____	\$ _____
9. Storage & Equipment Areas	\$ _____	\$ _____	\$ _____	\$ _____
10. Drainage Control	\$ _____	\$ _____	\$ _____	\$ _____
11. Monitoring	\$ _____	\$ _____	\$ _____	\$ _____
12. Mobilization/Demobilization	\$ _____	\$ _____	\$ _____	\$ _____
13. Miscellaneous	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal "B"	\$ _____	\$ _____	\$ _____	\$ _____

Reclamation Cost Estimation Summary Sheet

C. Detoxification/Water Treatment/Disposal of Wastes

<u>Item</u>	<u>Labor</u>	<u>Equipment</u>	<u>Materials</u>	<u>Total</u>
1. Process Ponds/Sludge	\$ _____	\$ _____	\$ _____	\$ _____
2. Heaps	\$ _____	\$ _____	\$ _____	\$ _____
3. Dumps (Waste & Landfill)	\$ _____	\$ _____	\$ _____	\$ _____
4. Tailings	\$ _____	\$ _____	\$ _____	\$ _____
5. Surplus Water Disposal	\$ _____	\$ _____	\$ _____	\$ _____
6. Fluid Management ⁴	\$ _____	\$ _____	\$ _____	\$ _____
7. Monitoring	\$ _____	\$ _____	\$ _____	\$ _____
8. Mobilization/Demobilization	\$ _____	\$ _____	\$ _____	\$ _____
9. Miscellaneous	\$ _____	\$ _____	\$ _____	\$ _____
10. Hazardous Materials and Chemicals/Other Reagents ⁵	\$ _____	\$ _____	\$ _____	\$ _____
Subtotal "C"	\$ _____	\$ _____	\$ _____	\$ _____

D. Structure, Equipment And Facility Removal	<u>Labor</u>	<u>Equipment</u>	<u>Materials</u>	<u>Total</u>
	\$ _____	\$ _____	\$ _____	\$ _____

E. Operational & Maintenance (O&M) Costs

Subtotal A through D	\$ _____	\$ _____	\$ _____	\$ _____
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F. Administrative Costs

1. Engineering, Design and Construction (ED&C) Plan ⁶	\$ _____
2. Contingency ⁷	\$ _____
3. Insurance ⁸ (On Site Liability)	\$ _____
4. Bond ⁹ (Performance and Payment)	\$ _____
5. Contractor Profit ¹⁰	\$ _____
6. BLM Contract Administration ¹¹	\$ _____
7. BLM Indirect Cost ¹²	\$ _____
Subtotal "F"	\$ _____

G. GRAND TOTAL (E and F)	\$ _____
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Attach sources/information used in cost estimate (examples: Caterpillar Performance Handbook, contractor's estimate, BLM state office procurement analyst, etc.).

Reclamation Cost Estimation Summary Sheet

Reclamation Cost Estimation Summary Sheet Endnotes

¹ Federal construction contracts require Davis-Bacon wage rates for contracts over \$2,000. Wage rate estimates may include base pay, Federal Insurance Corporation of America (FICA) and other required workforce coverage and benefits, overhead and profit. To avoid double counting of any of the identified administrative costs the operator must itemize the components of their labor cost estimates or provide BLM with a signed statement, under penalty of USC 1001, that identifies what specific administrative costs are included in the quoted hourly rate.

² These are the requirements consistent with NAC 534 and NAC 519A.125. Drill holes that will be plugged as per NAC 534 with onsite drilling equipment do not have to be considered for bonding. Drill holes that are to be left open at any time during the life of the project must have a third party reclamation cost estimate and be bonded. To avoid bonding, operators must state in their notice/plan of operations that drill holes will not be left open at any time during the life of the project. The cost of plugging, capping and segregation of the hole from the ground water system is to be considered when appropriate. Drill holes that will be “mined through” within six months of drilling completion by the proposed operation do not have to be considered for bonding.

³ Miscellaneous items should be itemized on accompanying worksheets.

⁴ **For Mineral Processing Projects Only.** Fluid management represents the costs of maintaining proper fluid management to prevent overflow of solution ponds through premature cessation or abandonment of operations. Calculate a minimum six month direct cost estimate which includes power, supplies, equipment, labor and maintenance.

⁵ Handling of hazardous materials and chemicals/other reagents includes the cost of decontaminating, neutralizing, disposing, treating and/or isolating all hazardous materials/chemicals/reagents used, produced, or stored on the site.

⁶ **For Mining and Processing Projects Only.** Engineering, design and construction (ED&C) plans are often necessary to provide details on the reclamation needed to contract for the required work. To estimate the cost to develop an ED&C plan use 4-8% of the O&M cost (Line E). Calculate the ED&C cost as a percentage of the O&M cost as follows: up to and including \$1 million, use 8%; over \$1 million to \$25 million, use 6%; and over \$25 million, use 4%.

⁷ A contingency cost is included in the reclamation cost estimation to cover unforeseen cost elements. Calculate the contingency cost as a percentage of the O&M cost (Line E) as follows: up to and including \$500,000, use 10%; over \$500,000 to \$5 million, use 8%; over \$5 million to \$50 million, use 6%; and greater than \$50 million, use 4%. As with the ED&C cost, inclusion of a contingency cost may not be necessary for small operations, such as notice-level exploration.

⁸ Insurance premiums are calculated at 1.5% of the total labor costs. Enter the premium amount if liability insurance is not included in the itemized unit costs.

⁹ Federal construction contracts exceeding \$100,000 require both a performance and a payment bond (Miller Act, 40 USC 270 *et seq.*). Calculate the total performance bond and the payment bond premiums at 3% of the O&M cost (Line E). Each bond premium is figured at 1.5% of the O&M cost.

¹⁰ For Federal construction contracts, use 10% of estimated O&M cost (Line E) for the contractor’s profit.

¹¹ Calculate the contract administration cost as a percentage of the O&M cost as follows: up to and including \$1 million, use 10%; over \$1 million to \$25 million, use 8%; and greater than \$25 million use 6%.

¹² BLM’s indirect cost rate is 21% of the contract administration costs (Line F6). This cost requirement is not applicable to operations that are proposed on property that is 100% privately own.

Reclamation Cost Estimation Summary Sheet

Reclamation Check List

This checklist is provided to assist the operator and BLM in calculating the engineering and environmental costs required to properly stabilize and reclaim the area disturbed by mineral exploration and/or mining operations. The checklist is designed to accompany the Reclamation Cost Estimation Summary Sheet. It is not all inclusive nor is it required, but is intended to serve as a reminder of issues that should be considered.

Access Roads and Drill Pads

1. Mobilization and demobilization.
2. Recontouring or regrading to approximate the original topography as closely as possible.
3. Removal of culverts.
4. Ripping or scarifying the surface.
5. Water diversion construction.
6. Restoration or stabilization of drainage areas or stream beds.
7. Revegetation.

Drill Hole and Well Abandonment

1. Mobilization and demobilization.
2. Drill hole and well (water, monitoring and piezometer) abandonment must meet all applicable Federal and State standards. In Nevada, drill holes that will be plugged as per NAC 534 with onsite drilling equipment do not have to be considered for bonding. Drill holes that are to be left open at any time during the life of the project must have a third party reclamation cost estimate and be bonded. To avoid bonding, operators must state in their notice/plan of operations that drill holes will not be left open at any time during the life of the project. The cost of plugging, capping and segregation of the hole from the ground water system is to be considered when appropriate.
3. Drill holes that will be "mined through" within six months of drilling completion by the proposed mining operation do not have to be considered for bonding.

Trenches, Pits, Shafts, and Adits

1. Mobilization and demobilization.
2. Recontouring or regrading to approximate the original topography as closely as possible.
3. Revegetation.
4. Securing portals from public entry.

Waste Rock Dumps, Overburden, and Interburden Storage Areas

1. Encapsulation, mixing or other engineered placement method in controlling acid rock drainage (ARD) migration.

Reclamation Cost Estimation Summary Sheet

Reclamation Check List

2. Recontouring and regrading to approximate the surrounding topography as closely as possible to enhance stability, reduce susceptibility to erosion, and facilitate efforts to establish vegetation.
3. Diversion of run-on.
4. Covering with rock, clay, topsoil, other growth medium or other cover material.
5. Revegetation.

Dams for Tailings Ponds

1. Covering with rock, clay, topsoil, other growth medium or other cover material.
2. Revegetation.
3. Rendering the dam incapable of storing any mobile fluid in a quantity which could pose a threat to the stability of the dam, or to public safety.
4. Construction of temporary containment basins and water treatment facilities for leakage or outflow of effluent.

Impoundment for Tailings

1. Regrading to promote run-off and reduce infiltration.
2. Covering with waste rock, clay, topsoil, other growth medium or other cover material.
3. Revegetation.
4. Diversion of run-on.
5. Temporary containment basins and water treatment facilities for leakage or outflow of effluent.

Heaps from Leaching

1. Cost of maintaining proper fluid management to prevent overflow of solution ponds through premature cessation or abandonment of the operation (six month direct cost estimate for recirculating process fluids). Include the cost of a Process Fluid Inventory, which typically runs from \$15,000 to \$35,000, depending on site complexity.
2. Rinsing, detoxification and neutralization procedures as approved in the notice.
3. Containment and treatment of outflows of residual chemicals or fluids from the heaps, including any disposal of surplus or drain down water. Include all engineering, development and reclamation costs.
4. Diversion of run-on and run-off.
5. Regrading to enhance structural stability, promote run-off, reduce infiltration, and control erosion.
6. Covering with waste rock, clay, topsoil, other growth medium or other cover material.
7. Stabilization and revegetation.

Reclamation Cost Estimation Summary Sheet

Reclamation Check List

Solution Ponds, Settling Ponds, and Other Non-Tailings Impoundments

1. Analytical costs for sludge identification.
2. Backfilling and grading as approved in the notice or plan of operations.
3. Restoration of the pre-disturbance surface water regime, if appropriate.
4. Proper disposal of process pond sludge.

Building Foundations, Facilities, Structures and Other Equipment

1. Demolition and burial costs of the demolition debris on site, in conformance with applicable solid waste and hazmat disposal requirements.
2. Off-site disposal costs of "1" above, in conformance with applicable solid waste disposal and hazmat requirements.
3. Equipment, miscellaneous facility (pipelines, power lines, etc.), trash and scrap removal.
4. Costs of continued use in a manner that is consistent with the proposed post mining land use.
5. No provision for salvage value or credit is to be considered.

Open Pit Mines

1. Providing for the public safety.
2. Stabilization of pit walls or rock faces where required for public safety.
3. Stabilization of exposed sulfides in pit walls and floors to preclude formation of acid rock drainage.
4. Construction and maintenance of berms, fences, or other means of restricting public access.
5. Costs associated with the creation and maintenance of a lake for recreation, wildlife enhancement, or other beneficial use.
6. Revegetation.

Underground Mines

1. Sealing shafts, adits, portals, and tunnels to prevent access.
2. Construction and maintenance of berms, fences, or other means of restricting access.

Revegetation

1. Mobilization/demobilization of equipment.
2. Application of top soil or other growth medium.
3. Seed bed preparation.
4. Selection of appropriate species of seeds or plants (consult BLM staff specialist).
5. Addition of soil amendments such as fertilizers, mulches, or other compounds to assist in plant growth.

Reclamation Cost Estimation Summary Sheet

Reclamation Check List

6. Planting or seeding (equipment, personnel, cost of seeds/plants).

Site Maintenance, Monitoring, and Evaluation

1. Any site monitoring costs as required by the BLM.
2. Monitoring well costs for heaps, leach fields, bioreactors and tailings ponds as required by the [insert the requirements mandated by your state's mining and/or environmental regulatory agency].
3. Evaluation to determine whether the revegetation and slope stability meet the criteria established for bond release or project closeout if work is done by BLM contractor

ATTACHMENT 2

Form 3809-1, Surface Management Surety Bond

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0194
Expires: January 31, 2007

SURFACE MANAGEMENT SURETY BOND

Act of May 10, 1872, as amended (30 U.S.C. 22-54)
Act of December 29, 1916, as amended (39 Stat. 862)
Act of October 21, 1976, as amended (43 U.S.C. 1732-35, 1782)
Act of September, 13, 1982 (31 U.S.C. 9301 et seq.)
Act of September 27, 1988 (102 Stat. 1776)
Act of April 16, 1993 (43 U.S.C. 299)

Surety Bond Number _____

Individual _____ ; or Statewide _____ ; or Nationwide _____
(Enter BLM Serial No.) (Enter Name of State, if applicable) (Enter "Yes," if applicable)

KNOW ALL BY THESE PRESENTS, THAT: _____
(name)

of _____
(address)

as principal; and _____ of _____
(name) (address)

_____ as surety; are held firmly bound unto the United States of America in the
sum of _____

_____ U.S. dollars (\$ _____),

lawful money of the United States, which may be increased or decreased by a rider hereto executed in the same manner as this bond, for the payment of which sum the principal and surety bind themselves successors, and assigns, jointly and severally, by these presents.

The principal/surety will apply this bond for the faithful performance of any and all of the conditions and stipulations as set forth in this bond, the plan of operations/notice cited above, and the regulations cited at CFR 3802 and 43 CFR 3809. In the case of any default in the performance of the conditions and stipulations of such undertaking, it is agreed that the surety/principal will apply the bond or any portion thereof, to the satisfaction of any damages, reclamation, assessments, penalties, or deficiencies arising by reason of such default.

BOND CONDITIONS

1. WHEREAS, the principal has an interest in a mining claim(s), mill site(s), or tunnel site(s) and/or responsibility for operations on those mining claim(s), mill site(s), tunnel site(s) or public lands under the Acts cited in this bond; and
2. WHEREAS, the principal has filed an acceptable notice with the United States Department of the Interior, Bureau of Land Management (BLM) and/or received approval from the BLM of the plan of operations cited above, and said plan of operations/notice contains certain stipulations and conditions; and
3. WHEREAS, the principal has promised to deliver to the United States a bond substantially in the form hereof upon the approval and/or acceptance of the above referenced plan of operations and/or notice by the BLM to secure the performance of the terms and conditions contained in said plan of operations/notice and/or associated reclamation plan.
4. WHEREAS, the principal and surety agree that, with notice to the surety, the coverage of this bond, in addition to the present holdings of and/or authorization(s) granted to the principal, shall extend to and include:
 - a. Any transfer of operating rights under the plan of operations and/or notice hereafter entered into or acquired by the principal affecting mining claim(s), mill site(s), tunnel site(s), or public lands; and
 - b. Any activity subsequent hereto of the principal as operator under a plan of operations and/or notice issued pursuant to the Acts cited in this bond;

Provided, that for Statewide and Nationwide bonds only, the surety may elect to terminate the additional coverage authorized under this paragraph. Such termination will become effective 30 days after the BLM receives notice of the election to terminate. After the termination becomes effective, the additional interests identified in this paragraph will not be covered by this bond; and

5. WHEREAS, the principal and surety agree that with notice to the surety this bond shall remain in full force and effect notwithstanding: Any assignment(s) of an undivided interest in any part or all of the mining claim(s) mill site(s), tunnel site(s), or public lands covered by the plan of operations/notice in which event the assignee(s) shall be considered to be coprincipal(s) on this bond as fully and to the same extent as though their duly authenticated signatures appeared thereon; and
6. WHEREAS, the principal/surety hereby waives any right to notice of, and agrees that this bond will remain in full force and effect notwithstanding:
 - a. Any transfer(s) in whole or in part, of any or all of the land covered by the plan of operations and/or notice and further agrees to remain bound under this bond as to the interests in the plan of operations and/or notice retained by the principal; and
 - b. Any modification of the plan of operations/notice or obligations thereunder as provided in paragraph 4 herein; and
7. WHEREAS, the principal and surety hereby agree that notwithstanding the nullity, relinquishment, abandonment or forfeiture of any mining claim(s), mill site(s), or tunnel site(s) covered by this plan of operations and/or notice, whether by operation of law or otherwise, the bond will remain in full force and effect as to the terms and conditions of the plan of operations and/or notice and obligations covered by this bond; and

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

BOND CONDITIONS (Continued)

8. WHEREAS, should the surety elect to cancel this bond, the surety agrees to give the principal and the BLM 90 days written notice by certified mail, return receipt requested, at their respective addresses as stated herein. The address for service to BLM concerning this bond

is the BLM _____ State Office located at _____

The surety further agrees that in the event of such cancellation this bond will remain in full force and effect as to all areas within the plan of operations/notice disturbed prior to the effective date of such cancellation, unless and until the principal should file a substitute bond or other acceptable instrument to protect the interests of the BLM and such bond or instrument is accepted by the BLM; and

- 9. WHEREAS, the principal and surety agree that in the event of any default under the plan of operations and/or notice, the bond may be forfeited and, the United States, through the BLM, may commence and prosecute any claim, suit, or other proceeding against the surety and principal, or either of them, without the necessity of joining the owner(s) of the mining claim(s), mill site(s), or tunnel site(s) covered by the plan of operations and/or notice; and
- 10. WHEREAS, if the principal fails to comply with the provisions of 43 CFR 3802 and 43 CFR 3809, the principal will be subject to the applicable provisions and penalties of Sections 303 and 305 of the Federal Land Policy and Management Act of 1976, *as amended*, (43 U.S.C. 1733 and 1735). This provision should not be construed to prevent the exercise by the United States of any other legal and equitable remedy, including waiver of the default; and
- 11. WHEREAS, on the faith of the foregoing promises, representations, and appointments and in consideration of this bond, the United States has received a notice or approved the plan of operations referenced herein.
- 12. NOW, THEREFORE, the condition of this obligation is that if said principal, heirs, executors, administrators, successors, or assignees will, in all respects, faithfully comply with all of the provisions of the plan of operations and/or notice, and any amendments thereto, and the regulations at 43 CFR 3802 and 43 CFR 3809, then this obligation will be null and void; otherwise it will remain in full force and effect.

Executed this _____ day of _____, 20 _____:

Principal _____

Surety _____

By _____
(Print Name)

Attorney-in-Fact _____
(Print name)

Title _____

Signature _____

Business Address _____

Business Address _____

(TIN or SSN, if applicable)

(TIN)

This bond must bear the seal of the surety company. If this bond is signed by a corporation, it should bear the seal of the corporation, if applicable.

NOTICE

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 22 et seq.; 43 U.S.C. 1732[b] and 1782[c]; 31 U.S.C. 9301 et seq.; 43 CFR 3802 and 43 CFR 3809.

PRINCIPAL PURPOSE: Information is being used to establish financial responsibility for surface disturbance on public lands.

ROUTINE USES: BLM will only disclose the information according to the regulations at 43 CFR 2.56(d).

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is necessary to receive a benefit. Failure to disclose this information may result in BLM's rejection of your application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

BLM collects this information to grant the right to conduct exploration and mining activities on public lands.

Response to this request is required to obtain a benefit.

BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

BURDEN HOURS STATEMENT

Public reporting burden for this form is estimated to average 8 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0194), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Washington, D.C. 20240.

ATTACHMENT 3

Form 3809-2, Surface Management Personal Bond

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

SURFACE MANAGEMENT PERSONAL BOND
Act of May 10, 1872, as amended (30 U.S.C. 22-54)
Act of December 29, 1916, as amended (39 Stat. 862)
Act of October 21, 1976, as amended (43 U.S.C. 1732-35, 1782)
Act of September, 13, 1982 (31 U.S.C. 9301 et seq.)
Act of September 27, 1988 (102 Stat. 1776)
Act of April 16, 1993 (43 U.S.C. 299)

FORM APPROVED
OMB NO. 1004-0194
Expires: January 31, 2007

Individual _____ ; or Statewide _____ ; or Nationwide _____
(Enter BLM Serial No.) (Enter Name of State, if applicable) ("Yes," if applicable)

KNOW ALL MEN BY THESE PRESENTS, THAT _____
(name)

of _____
(address)

as principal; is held firmly bound unto the United States of America in the sum of _____
_____ U. S. dollars (\$ _____).

lawful money of the United States, which may be increased or decreased by a rider hereto executed in the same manner as this bond.

The principal, pursuant to the authority conferred by Section 1 of the Act of September 13, 1982 (31 U.S.C. 9303), does hereby constitute and appoint the Secretary of the Interior to act as his attorney-in-fact for the purpose of negotiating the cash, letters of credit, savings accounts, certificates of deposit, or securities. The interest accruing on the United States securities, cash, or other instruments given above, in the absence of any default in the performance of any of the conditions, or stipulations set forth in this bond, the plan of operations/notice, must be paid to the principal. The principal hereby, for any heirs, executors, administrators, successors, and assignees, jointly and severally, ratifies and confirms whatever the Secretary will do by virtue of these presents.

The Secretary will transfer this deposit for the faithful performance of any and all of the conditions and stipulations as set forth in this bond, the plan of operations/notice cited above, and the regulations at 43 CFR 3802 and 43 CFR 3809. In the case of any default in the performance of the conditions and stipulations of such undertaking, it is agreed that the Secretary will have full power to assign, appropriate, apply, or transfer the deposit, or any portion thereof, to the satisfaction of any damages, reclamation, assessments, penalties, or deficiencies arising by reason of such default.

BOND CONDITIONS

1. WHEREAS, the principal has an interest in a mining claim(s), mill site(s), or tunnel site(s) and/or responsibility for operations and/or reclamation on the mining claim(s), mill site(s), tunnel site(s) or public lands under the Acts cited in this bond; and
2. WHEREAS, the principal has filed an acceptable notice with the United States Department of the Interior, Bureau of Land Management (BLM) and/or received approval from the BLM of the plan of operations cited above and said plan of operations/notice contains certain stipulations and conditions; and
3. WHEREAS, the principal hereby waives any right to notice of, and agrees that this bond will remain in full force and effect notwithstanding:
 - a. Any transfer(s) in whole or in part, of any or all of the land covered by the plan of operations/notice further agrees to remain bound under this bond as to the interests in the plan of operations/notice retained by the principal; and
 - b. Any modification of the plan of operations/notice or obligations thereunder; and
4. WHEREAS, the principal hereby agrees that notwithstanding the cancellation or relinquishment of any mining claim(s), mill site(s), or tunnel site(s) covered by this plan of operations/notice, whether by operation of law or otherwise, the bond will remain in full force and effect as to the terms and conditions of the plan of operations/notice, and obligations covered by this bond; and
5. WHEREAS, the principal agrees that in the event of any default under the plan of operations/notice and/or reclamation plan the bond may be forfeited and, the United States, through the BLM, may commence and prosecute any claim, suit, or other proceeding against the principal without the necessity of joining the owner(s) of the mining claim(s), mill site(s), or tunnel site(s) covered by the plan of operations/notice; and
6. WHEREAS, if the principal fails to comply with the provisions of 43 CFR 3802 and 43 CFR 3809, the principal will also be subject to the applicable provisions and penalties of Sections 303 and 305 of the Federal Land Policy and Management Act of 1976, *as amended* (43 U.S.C. 1733 and 1735). This provision will not be construed to prevent the exercise by the United States of any other legal and equitable remedy, including waiver of the default; and

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

BOND CONDITIONS (Continued)

7. WHEREAS, on the faith of the foregoing promises, representations, and appointments, and in consideration of this bond, the United States has accepted the notice or approved the plan of operations referenced herein.

8. NOW, THEREFORE, the condition of this obligation is such that if said principal(s), heirs, executors, administrators, successors, or assignees will, in all respects, faithfully comply with all of the provisions of the plan of operations/notice referenced herein, any amendments thereto, and the regulations at 43 CFR 3802 or 43 CFR 3809, then this obligation will be null and void; otherwise it will remain in full force and effect.

Executed this _____ day of _____, 20 _____:

State of _____

Principal _____

County of _____

By _____
(Print name)

Subscribed and sworn to before me this _____ day

Signature _____

of _____, 20 ____.

Title _____

Business Address _____

(Notary Public)

(Date Commission Expires)

(TIN or SSN No., if applicable)

If this bond is executed by a corporation, it should bear the seal of the corporation, if applicable.

NOTICE

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 22 et seq.; 43 U.S.C. 1732[b] and 1782[c]; 31 U.S.C. 9301 et seq.; 43 CFR 3802 and 43 CFR 3809.

PRINCIPAL PURPOSE: Information is being used to establish financial responsibility for surface disturbance on public lands.

ROUTINE USES: BLM will only disclose the information according to the regulations at 43 CFR 2.56(d).

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is necessary to receive a benefit. Failure to disclose this information may result in BLM's rejection of your application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

BLM collects this information to grant the right to conduct exploration and mining activities on public lands.

Response to this request is required to obtain a benefit.

BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

BURDEN HOURS STATEMENT

Public reporting burden for this form is estimated to average 8 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0194), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Washington, D.C. 20240.

ATTACHMENT 4

Information on Time Deposits and Letters of Credit for
Reclamation Bonding of Notices and Plans of Operations

U.S. Department of the Interior
Bureau of Land Management
Nevada State Office

**Information on Time Deposits and Letters of Credit
For Reclamation Bonding of Plans of Operations**

The following information is provided to assist an entity in obtaining a Time Deposit or an Irrevocable Letter of Credit to be used as security for Bureau of Land Management (BLM) surface reclamation bond (Form 3809-2, Attachment 3). It is suggested that you take these guidelines with you to the bank when you go to inquire about obtaining a time deposit or letter of credit. If you, or the financial institution, have questions, please call the BLM Nevada State Office at 775-861-6400, Branch of Minerals Adjudication.

Certificates of Deposit and other Time Deposit Instruments

The Certificate of Deposit or other time deposit (TD) must be issued by a financial institution, the deposits of which are federally insured, explicitly granting the Secretary of the Interior full authority to demand immediate payment in case of default in the performance of the terms and conditions of the 3809 notice or plan or operations. The TD shall explicitly indicate on its face that Secretarial approval is required prior to redemption of the TD by any party.

If the bond is secured by a certificate of deposit or other fixed time deposit, the TD must be presented to the BLM Nevada State Office with the following conditions:

1. The financial institution issuing the TD must be insured by the Federal Deposit Insurance Corporation (FDIC), the Federal Savings and Loan Insurance Corporation (FSLIC), the National Credit Union Association (NCUA), or otherwise federally insured.
2. A TD cannot exceed the insured amount from any one financial institution for any one depositor.
3. The BLM must hold sole right to redeem the TD. Bank records must be provided showing that only the BLM may collect the amount of the TD. The TD should be made in the name of the U.S. Department of the Interior - BLM. If the TD is not directly issued in the name of the Department of the Interior - BLM, then the TD must explicitly state on its face that **"The Secretary of the Interior must approve the redemption of the TD by any party."** Any earned interest will be paid to the obligor, not to BLM.
4. The TD should be provided in the amount required for surface reclamation and include an additional amount sufficient to cover any penalties for early withdrawal. If the TD is submitted for only the amount determined for surface reclamation, any penalties for early redemption will be paid from the obligor's interest earned and not from the principal amount of the TD.

Irrevocable Letters of Credit

An irrevocable letter of credit must be issued by a financial institution organized or authorized to do business in the United States and identify the Department of the Interior, Bureau of Land Management as the sole payee with full authority to demand immediate payment in the case of default in the performance of the terms the notice and/or plan of operations or of default with replacement when required.

A Letter of Credit (LC) must be presented to the BLM Nevada State Office as follows:

1. The LC must be payable to the Department of the Interior - BLM.
2. The initial expiration date must not be less than one year from the effective date of the LC. The LC must contain a provision for automatic renewal for periods of not less than one-year in the absence of notice from the bank to the BLM Nevada State Office at least 90 days prior to the originally stated or any extended expiration date of bank's election not to renew.
3. The LC must contain provisions allowing collection by BLM for failure of the obligor to replace the bond when 90-day notice is given by the bank that the LC will not be renewed and the LC is not replaced by other suitable bond or LC at least 30 days before its expiration date.
4. The LC shall be payable to the BLM upon demand, in part or in full, upon receipt from the authorized officer (BLM Nevada State Office) of a notice of attachment stating the basis therefor, e.g., default in compliance with the notice or plan of operations or the failure to file a replacement for an expiring LC as described in Item 3 above.
5. The LC must be subject to the Uniform Customs and Practice for Documentary Credits. The current version is the 1993 revision, ICC Publication No. 500.

The following page is sample language to be used when securing an Irrevocable Letter of Credit.

Irrevocable Letter of Credit No.: _____

Date Issued: _____

Beneficiary:

DOI, Bureau of Land Management
Nevada State Office
1340 Financial Blvd.
P.O. Box 12000
Reno, NV 89520-0006

Ladies and Gentlemen:

On behalf of (operator or other entity) of (address), as obligor, we (bank) of (address) hereby establish an Irrevocable Letter of Credit in favor of the U.S. Department of Interior, Bureau of Land Management (BLM) and agree to pay upon demand by BLM, up to an aggregate amount of U.S.\$ upon receipt of your sight draft(s) on us and your written notification signed by a purported authorized officer of the BLM to the effect the obligor has been determined to be in default and the amount drawn represents the reasonable amount, as determined by the BLM, of such default.

This Letter of Credit is available with (bank or financial institution) at (address) by sight payment. Partial drawings are permitted.

This Letter of Credit is effective (date), and will expire at our offices in (address) on (minimum of 1 year from effective date), and shall thereafter be automatically renewed for a one year period upon such date and upon each anniversary of such date, unless at least ninety (90) days prior to the then current expiration date we notify you at the above address by courier service, that we elect not to renew this letter of credit for such additional period.

Upon receipt by the BLM of such a notice from us not to renew this Letter, the BLM may draw on us at sight for up to the amount of the Letter of Credit, prior to the expiration thereof, provided that such a draft is accompanied by a statement signed by a purported authorized officer of the BLM that no satisfactory replacement bond has been provided by the obligor prior to 30 days before this Letter of Credit expires.

It shall not be required for the BLM, in order to draw on this Letter of Credit, to furnish the original Letter; however, it is understood, as a condition of any payment thereunder, that the face amount of the Letter shall automatically be reduced by any payment made by the bank and that the BLM will promptly surrender the original Letter of Credit when and if the bank shall tender to the BLM the full amount of funds represented by this Letter; such surrender to occur as soon as reasonably practical after full payment is made. The original Letter of Credit shall also be surrendered promptly following its expiration.

We promise that the amount of credit herein established will not be reduced for any reason during the effectiveness of this Letter of Credit without the prior written approval of the BLM.
Optional: We are informed that this Letter of Credit is issued per the requirements of Title 43 Code of Federal Regulations, Subpart 3809.

This credit is subject to the Uniform Customs and Practice for Documentary Credits, 1993 revision, ICC Publication No. 500.

ATTACHMENT 5

Information on Negotiable Securities of the United States

U.S. Department of the Interior
Bureau of Land Management
Nevada State Office

**INFORMATION ON NEGOTIABLE SECURITIES
OF THE UNITED STATES**

General information on pledging U.S. Treasury securities as collateral to the U.S. Government is found at 31 U.S.C. 9303 *et seq.* and U.S. Treasury Circular 154, which was incorporated into the Code of Federal Regulations at 31 CFR 225 (Acceptance of Bonds, Notes, or Other Obligations Issued or Guaranteed by the United States as Security in Lieu of Surety or Sureties on Penal Bonds).

The following is to assist the applicant in obtaining a U.S. Treasury Bill, Note, or Bond to be used as security for bond coverage required by the Bureau of Land Management (BLM), the Department of the Interior. Instead of being transferred to BLM's book-entry account through the Federal Reserve Bank (FRB) as in the past, securities are now held in a Circular 154, U.S. Government Account Number 11, under the depository financial institution's American Bankers Association (ABA) number with the FRB. Once a security is transferred into Circular 154 Account Number 11, neither the obligor nor the bank will be able to access the security without the BLM providing authorization to the FRB to do so.

Therefore, when you contact your bank to purchase a negotiable U.S. Treasury security, you need to send the following to the BLM Nevada State Office as soon as possible:

1. Your name and mailing address. (If this is not the operator according to the plan or notice filed with the BLM, include the operator's name and address.)
2. The BLM serial number of the operations being bonded or a statement that the security is being pledged for a statewide or nationwide bond.
3. The type of Treasury security purchased (bill, bond, or note).
4. The par amount of the security, the interest rate, and the maturity date of the security.
5. The Committee on Uniform Securities Identification Procedures (CUSIP) number of the security.
6. The name and mailing address of your bank, along with the name and telephone number of a contact person at your bank.
7. The bank's nine-digit American Bankers Association number.
8. The name of the FRB or FRB Branch servicing the depository financial institution.
9. A copy of your written authorization to the bank to establish a Treasury security.

Upon receipt of the above information, the BLM will telefax a copy of that information to the BLM Business Center, Accounting Operations Division, Negotiable Securities Manager. The Negotiable Securities Manager will then contact the FRB and the obligor's bank to authorize the transfer of the Treasury security to the Circular 154, Account Number 11.

THE OBLIGOR'S BANK MUST NOT TRANSFER THE SECURITY TO THE CIRCULAR 154, ACCOUNT NUMBER 11 UNTIL AUTHORIZATION IS GIVEN BY THE BLM NEGOTIABLE SECURITIES MANAGER.

When the security is transferred to the Circular 154, Account Number 11, the bank must include the following information in the electronic transfer message: "Security pledged to DOI- BLM Nevada State Office by [name of obligor] for [BLM bond number _____]." The following is an example of an acceptable transfer message: "Security pledged to DOI- BLM, Nevada State Office by (Zephyr Mining Company) for BLM Bond Number NVB003489.

The obligor is to provide the following to the BLM office as soon as possible:

1. A fully-completed BLM personal bond form (Form 3809-2). See Attachment 3.
2. A transaction document from your bank to verify the amount that you paid for the security, excluding any commission fee and accrued interest, equals or exceeds the bond amount required by BLM. A discounted value less than the full amount is NOT acceptable. If a Treasury security, purchased at a discount, is submitted for less than the required bond amount, the bonded party must make up the difference (certified check, etc.) otherwise the bond will be returned unaccepted.

Once the security is transferred to the Circular 154, Account Number 11, the FRB will send the Negotiable Securities Manager a confirmation of the transfer, including the date of transfer, titled, "Acknowledgment of Book Entry Deposit, Release of Account Transfer" and/or "Statement of Pledged Activity." The BLM National Business Center will send a copy of the Statement or Acknowledgment will be sent to the BLM office to document the transfer.

Upon receipt of the items from the obligor and the Negotiable Securities Manager, the BLM office will notify the entity by written decision that the personal bond has been accepted, the BLM Bond Number assigned to the bond, and the date bond coverage is effective. A copy of the bond acceptance decision is sent to the Negotiable Securities Manager. The BLM will notify the obligor in its decision that (1) the personal bond has been accepted, (2) the BLM bond number assigned to the bond, and (3) the date the bond coverage is effective.

The BLM Negotiable Securities Manager will notify BLM about a maturing Treasury security about 90 days before the maturity date, and the BLM in turn will notify the obligor by letter that the security is maturing.

If bonding continues to be required and a satisfactory replacement financial instrument has not been accepted by BLM **before** the maturity date of the security, the security will be reinvested automatically upon maturity.

If a satisfactory replacement financial instrument has been accepted by BLM or a determination has been made by the appropriate BLM office(s) that bonding is no longer required, **after** the maturity date of the security, the BLM adjudication will send a memorandum requesting the Business Center to direct the FRB to transfer the security from the Circular 154, Account Number 11 to the obligor's bank.

If the entity is in default with the terms and conditions of the plan of operations or notice for which bonding was required, and collection under the bond is warranted, the BLM office will send the Negotiable Securities Manager a memorandum requesting that at maturity, the cash proceeds be transferred to BLM.

If your bank has any questions about the information provided, a bank representative should contact the servicing FRB. Any questions regarding BLM's procedures may be directed to the BLM National Business Center, Accounting Operations Division, Collections and Billings Branch at P.O. Box 25047, Denver, CO 80225-0047 (telephone number 303-236-6321). For information regarding BLM bond requirements in general, the entity may contact the BLM Nevada State Office at 775-861-6500.

ATTACHMENT 6

Form 3809-4, Bond Rider Extending Coverage of Bond to Assume Liabilities for Operations Conducted by Parties Other Than the Principal (Third-Party Rider)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

**Form for Bond Rider Extending Coverage of Bond to Assume Liabilities for
Operations Conducted by Parties Other Than the Principal
(Consent of Surety)
RIDER**

BLM Bond Number

Surety Bond Number, if applicable

The principal and surety (or principal/obligor, if a personal bond) hereby agree to extend the coverage of the bond referenced above to include liabilities for operations conducted by _____ on _____

(Name of Mine/Operation)

plan/notice serial number _____ in which the principal holds interest or in the State of _____ (Statewide bond) or Nationwide (Nationwide bond).

Coverage includes the faithful performance of all plan of operations or notice level operations, both past and future, including the responsibility for all surface reclamation, as filed or approved by the Bureau of Land Management (BLM).

This coverage of plan of operations or notice level operations, will continue whether or not the plan(s) and/or notice(s) subsequently expire, terminate, are abandoned, suspended or revoked; provided however, that this rider will not act to increase the actual cumulative or potential liability for the surety above the face amount of the bond (penal sum).

Executed this _____ day of _____, 20 _____.

Principal _____

Surety _____

By _____
(Print Name)

By _____

Signature _____

Attorney-in-Fact _____
(Print Name)

Title _____

Business Address _____

Business Address _____

(TIN or SSN, if applicable)

(TIN or SSN)

This bond must bear the seal of the surety company, if a surety bond. If this bond is signed by a corporation, it should bear the seal of the corporation, if applicable.

NOTICE

The Privacy Act of 1974 and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with information required by this application.

AUTHORITY: 30 U.S.C. 22 et seq.; 43 U.S.C. 1732[b] and 1782[c]; 31 U.S.C. 9301 et seq.; 43 CFR 3802 and 43 CFR 3809.

PRINCIPAL PURPOSE: Information is being used to establish financial responsibility for surface disturbance on public lands.

ROUTINE USES: BLM will only disclose the information according to the regulations at 43 CFR 2.56(d).

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is necessary to receive a benefit. Failure to disclose this information may result in BLM's rejection of your application.

The Paperwork Reduction Act of 1995 requires us to inform you that:

BLM collects this information to grant the right to conduct exploration and mining activities on public lands.

Response to this request is required to obtain a benefit.

BLM would like you to know that you do not have to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB Control Number.

BURDEN HOURS STATEMENT

Public reporting burden for this form is estimated to average 8 minutes per response, including the time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to U.S. Department of the Interior, Bureau of Land Management (1004-0194), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Washington, D.C. 20240

Title 18 U.S.C. Section 1001 and Title 43 U.S.C. Section 1212 make it a crime for any person knowingly and willfully to make to any department or agency of the United States any false fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

ATTACHMENT 7

Form 3809-4a, Surface Management Personal Bond
Rider Form

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SURFACE MANAGEMENT PERSONAL BOND RIDER

OMB APPROVED
OMB No. 1004-0194
Expires: January 31, 2007

In consideration for this rider and the acceptance of this rider by the Bureau of Land Management on behalf of the United States of America, this rider attaches to and is part of Surface Management Bond No. _____ issued on behalf of _____
(BLM Bond No.)

principal, in favor of the United States. The bond provides coverage as shown below:

Individual _____ ; or Statewide _____ ; or Nationwide _____
(Enter BLM Serial No.) (Enter Name of State, if applicable) (Enter "Yes," if applicable)

INCREASE/DECREASE IN DOLLAR AMOUNT OF BOND COVERAGE

It is understood and agreed that _____, principal, is increasing/decreasing the coverage of this bond to the amount shown below; however, this rider shall not act to increase/decrease the actual cumulative or potential liability above the face amount of the bond, to wit: _____
_____ U.S. dollars (\$ _____).

STATEWIDE/NATIONWIDE BOND

The principal hereby agrees to and extends bond coverage to include any and all operations under 43 CFR 3802 and 43 CFR 3809.
Include name of State if coverage is Statewide _____.

BOND COVERAGE EXTENDED

The principal hereby agrees to and extends bond coverage to include notice-level operations pursuant to regulations at 43 CFR 3809.

THIRD PARTY POSTING OF THE FINANCIAL INSTRUMENT FOR THE BOND

It is understood and agreed that _____, is pledging the financial instrument to secure the attached bond on behalf of, _____ operator and principal on the bond.

COPRINCIPAL

It is understood and agreed that _____, principal, is extending the coverage of the bond referenced above to include liabilities for operations conducted by _____ on notice/plan of operations serialized _____.

NOTE

This coverage of obligations shall continue whether or not a notice/plan of operations has subsequently been suspended or terminated. This rider shall not act to increase the actual cumulative or potential liability of the principal or bond above the face amount of the bond. Nothing herein contained shall vary, alter, or extend any provision or condition of this bond except as herein expressly stated.

Executed this _____ day of _____, 20 _____ :

(Principal)

(TIN or SSN, if applicable)

(By)

(Title)

(Business Address)

State of _____ County of _____

Subscribed and sworn to before me this _____

by _____

(Notary Public)

(My Commission Expires)

NOTICE

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AUTHORITY: 30 U.S.C. 22 et seq.; 43 U.S.C. 1732[b] and 1782[c]; 31 U.S.C. 9301 et seq.; 43 CFR 3802 and 43 CFR 3809.

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Department of the Interior, Bureau of Land Management (1004-0194), Bureau Information Collection Clearance Officer (WO-630), 1849 C Street, N.W., Washington, D.C. 20240.

ATTACHMENT 8

Attachment "A" of the NDEP Reclamation Permit

Attachment "A" of the NDEP Reclamation Permit

An operator may request surety release in accordance with applicable State and Federal regulations. The following documentation must be submitted simultaneously to NDEP and the Federal land management agency prior to the agencies conducting a site inspection.

MINING OPERATIONS

1. Map(s) clearly identifying the area, noting specific treatments and sampling locations (as applicable).

2. Description of the following activities:

A. Earthwork:

1. The number of acres regraded and/or ripped.
2. Final slope angles left after regrading.
3. Methodology used to check final slope angles (e.g., clinometer, transit, etc.)
4. The number of acres that received topsoil/growth medium.
5. Depth and source of topsoil/growth medium and application method.
6. Dates of initiation and completion of activities.

B. Revegetation Activities:

1. The number of acres that were seeded and/or planted.
2. Seed bed preparation methods utilized.
3. Seeding/planting methods used (e.g., broadcast seeding, etc.).
4. Provide information on how seed was covered.
5. Seed mix and seeding rate; document by maintaining seed tags and any testing results (PLS, germination, noxious weeds, etc.)
6. The number of acres that received fertilization, mulch or amendments.
7. Fertilizer (N-P-K, type, application rate, application method).
8. Mulches and soil amendments (type, application rate, and application method).
9. Date of initiation and completion of activities (such as seeding, seed bed prep, irrigation).

C. Final Revegetation Sampling:

1. Adjacent representation type or range site description (baseline data).
2. Sampling method (e.g., line intercept).
3. Number of samples taken (disturbed and adjacent representative sites).
4. Statement of methodology demonstrating sample size, adequacy, and how the locations of sampling sites were determined.
5. Results of sampling (copy of sampling worksheet) for disturbed and representative areas. Indicate all perennial species located.
6. Dates of sampling.

D. Other Reclamation Activities:

Other reclamation activities, such as; structure and debris removals, safety feature installation, erosion control treatment, equipment removal or other permit requirements.

Attachment "A" of the NDEP Reclamation Permit

3. Detailed calculation of the surety amount proposed for release if applicable.
4. Prior to release, a field inspection is required to verify that reclamation has been performed in accordance with the approved reclamation plan and permit.

EXPLORATION PROJECTS

1. Map(s) clearly identifying the area, noting specific treatments and sampling locations (as applicable).

2. Description of the following activities:

A. Earthwork:

1. The number of acres regraded.
2. Dates of initiation and completion of activities.

B. Revegetation Activities:

1. The number of acres that were seeded and/or planted.
2. Seed bed preparation methods utilized.
3. Seeding/planting methods used (e.g., broadcast seeding, etc.).
4. Provide information on how seed was covered.
5. Seed mix and seeding rate; document by maintaining seed tags and any testing results (PLS, germination, noxious weeds, etc.).
6. The number of acres that received fertilization, mulch or amendments.
7. Fertilizer (N-P-K, type, application rate, application method).
8. Mulches and soil amendments (type, application rate, and application method).
9. Date of initiation and completion of activities.

C. Other Reclamation Activities: Other reclamation activities such as drill hole plugging, structure and removal, safety feature installation, erosion control treatment, equipment removal or other permit requirements.

3. Detailed calculation of the surety amount proposed for release if applicable.
4. Prior to release, a field inspection is required to verify that reclamation has been performed in accordance with the approved reclamation plan and permit.

ATTACHMENT 9

Form 3809-5, Notification of Change of Operator and
Assumption of Past Liability

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB No. 1004-0194
Expires: January 31, 2007

NOTIFICATION OF CHANGE OF OPERATOR AND ASSUMPTION OF PAST LIABILITY

The mining law surface management regulations at 43 CFR 3809 require that obligations accrued or conditions created under an operation remain with that operator until (1) BLM accepts a satisfactory replacement financial guarantee adequate to cover the previously accrued obligations **and** (2) BLM receives documentation that a transferee accepts responsibility for the transferor's previously accrued obligations. Therefore, the undersigned transferee hereby assumes all liabilities that may be outstanding on the plan of operations or notice shown below, including, but not limited to, the obligation to properly reclaim and restore the land disturbed on said plan or notice within the approved reclamation plan or notice filed with the BLM; provided that the obligation shall not act to increase the potential or cumulative liability above the face amount of the replacement bond to which this notification attaches in the amount stated below as required from the transferee.

1. BLM Notice or Plan of Operations Number(s): _____

2. Date BLM Accepted Notice or Approved the Plan of Operations: _____

3. Change of operator on the Notice(s) or Plan(s) shown is proposed on _____ as follows:
(Date)

FROM: Current Operator (Transferor) _____

Address _____

Address _____

By _____
(Print Name)

Signature _____

Title _____

Surface Reclamation Bonding Amount Currently Obligated: Sum of _____
_____ U.S. dollars (\$ _____).

TO: Proposed Operator (Transferee) _____

Address _____

Address _____

By _____
(Print Name)

Signature _____

Title _____

Surface Reclamation Bond: Sum of _____
_____ U.S. dollars (\$ _____).

(TIN or SSN)

Change of Operator Approved Pending Acceptance of Satisfactory Bond:

(Field Manager)

(Date)

cc: State Office
Surety, if applicable

NOTICE

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Lake Freeport

Hey buddy, can you spare 4,000 acre feet of our precious groundwater in the name of corporate profits? The proposed “minor expansion” of Freeport’s Little Rock Mine is really a doubling of that copper mine to 1,000 acres. And to be left behind in the future will be a 40 acre “Lake Freeport” filled with all the adjacent neighbors’ groundwater.

It didn’t take three hours of the June 3, 2021 Mining and Mineral Division of the NM Energy, Minerals and Natural Resources Department’s Public Hearing on the doubling of Little Rock Mine, a western pit in the Tyrone Mine’s ever expanding footprint, to understand that doubling Little Rock Mine will have significant impacts for neighbors and our priceless ground water. Freeport is using decades old 1997 Environmental Impact Statements to promote their claims of no impact as they are charging ahead with their expansion.

24 hour work lights, round the clock noise from those ‘awesome big haul trucks’, foundation cracking blasting and the ever present blowing heavy metal fugitive dust emissions are not addressed and there was no attempt to minimize these impacts presented by Freeport. Ground water wasn’t addressed at all, as it will “flow into the Tyrone Mine.”

Changing the name to ‘Big Rock Mine’ helps us to understand the scope and size of unlined tailings’ piles heavy metal leaching into the groundwater. Then more than double the depth of the ‘Big Rock Mine’ another 450 feet deeper. That’s a mighty deep well with a lot of drawdown of the local water table. A mile away is the Burro Mountain Homestead with its 200 plus summertime residents. Two miles away are many more homes and private wells in the Flying A subdivision. At a minimum Freeport should install water lines and supply clean drinking water to these nearby residents.

‘Big Rock Mine’ will leave behind a 40 acre lake some 200 feet deep when Freeport is long gone from the area. Untreated heavy metal water from an acid generating copper mine should turn a tidy bowl blue as nine feet of evaporation per year turns the stagnant water into a heavy metal concentrated mess for taxpayers to deal with. Can Grant County afford to lose some 4,000 acre feet plus of groundwater? (40 acres times 100 feet deep is 4,000 acre feet at a minimum as the mine pit tapers in width with depth.) The loss of 4,000 acre feet of our ground water isn’t addressed by Freeport.

Of course our two Republican local state representatives have given uncritical support for the ‘Big Rock Mine’ and whatever else Freeport proposes to pollute for profit and jobs. It is time for the Mining and Minerals Division to hold an open public hearing in Silver City, extend the extremely short two week public comment period and let the nearby residents and the rest of us speak up about why approving the doubling of this mine is wrong in light of our ongoing

drought, and the lowering our water table. People and their homes are as important as corporate profits.

Glenn Griffin

3701 Tracy Circle

Silver City, NM 88061